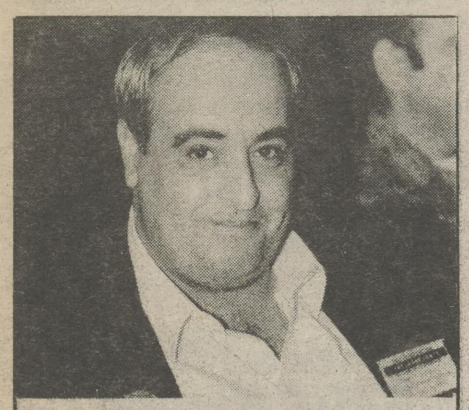
CONVOY DISPATCH

May 1987
#70

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975



"Dignity"

Tom Pizzuto
TDU Steering Committee
Local 863, Jersey City, New Jersey

The name "Teamster" used to be one to be proud of. Today it often means "mud." Every time you pick up a newspaper or watch the evening news, you see another Teamster being charged or convicted of various crimes. It doesn't matter who is at fault. What matters is what can *we* do about it.

Many union members feel that nothing can be done, that it's best to keep quiet and do nothing at all. That kind of thinking led to this sad state of affairs, and your continued silence will eventually be the demise of our union. Isn't it time we get something in return for the dues we pay? Isn't it time we get our dignity back? One of the best ways is to join TDU.

UPS Profits Highest Ever, IBT Calls For "Realistic Bargaining"

Does This Company Need Union-busting Concessions?

On April 13 the International Union met with representatives of the largest Teamster employer, United Parcel Service, to begin negotiations on the contract covering over 100,000 Teamsters. The contract, which expires on July 31, is the first of three national trucking agreements to come up in the next year, making it important for all Teamsters.

UPS Profits Top $660 Million

Within a week of the opening of the contract talks, TDU obtained the Securities and Exchange Commission report 10-K on UPS. The report indicates that the corporation made an incredible net profit (after taxes) of $668 million in 1986. This was $101 million more than the record set in 1985, or an 18% boost in profits. UPS now makes ten times more profits than any of the next three largest trucking companies—Roadway, Yellow or Consolidated Freightways.

This hardly sounds like a company in need of concessions, but Jackie Presser and top IBT negotiators have a different picture of UPS. In the April *Teamster Magazine* they wrote about the union's "realistic bargaining and its understanding of the problems the company [UPS] faces in a very competitive, mostly non-union industry."

Actually, facts tell the exact opposite story. UPS dominates some 75% of parcel delivery volume. The Postal Service, which is union, accounts for nearly all the remaining 25% of volume. Roadway Package Service, which is non-union in most areas, is quite small and losing massive amounts of money. In the express air freight industry, UPS has passed Teamster-organized companies like Emery and Airborne to hold second place, topped only by Federal Express (non-union). This growth has occurred since just 1983. Clearly, Presser has bought UPS' competition myth, hook, line and sinker, and is more understanding of the company's concerns than the memberships'.

What Is UPS After?

With a friend like Presser across the negotiating table, UPS is anxious to keep the concessions they already have and gain some new ones. Early indications are that the company wants to retain two-tier, prevent cost of living increases and expand concessions in the Next Day Air division. Demands being made in negotiations over two of the better supplements give an idea of other issues UPS is targeting:

- Elimination of premium pay for weekend work. In various supplemental area negotiations they are seeking the right to work fulltimers five days out of any six and part-timers five out of any seven.
- Cutting of benefits for part-timers.
- Expansion of two-tier. In New York Local 804 and other Eastern Conference negotiations UPS is seeking the right to pay new, fulltime, inside workers the same rate as lower-tier part-time workers. They are also asking for the right to pay all employees hired outside the peak season 60% of the applicable wage rate.
- Part-time drivers for the Next Day Air operation. The company is not giving up on this demand in areas where they have not yet gotten the concession.

This may be far more than UPS wants out of the negotiations, or just the tip of the iceberg. The UPS Committee of TDU is not waiting to find out. The "Dignity and Justice" contract campaign kicked off in October is gaining momentum and broad support. Rank and file contract meetings are taking place, contract bulletins are being distributed from coast to coast, donations are being collected for a national contract mailing and new UPS memberships are coming into the TDU office daily.

This solid framework is in place, but winning a decent contract will mean thousands of other concerned UPS Teamsters who support our work joining TDU and getting involved now. An organized membership, prepared to vote against a first contract offer, is what it will take to stand up to UPS' union-busting.

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Working For You

One national organization works for you, month in and month out. One national organization fights for union principles and rank and file Teamsters' rights. That same organization, Teamsters for a Democratic Union, is dedicated to strengthening our union and contracts from within. Over the years hundreds of thousands of Teamsters have benefited from TDU legal victories, information and organization. But your support is needed. If you haven't joined, do it today by sending in the membership application below.

Membership Application

Name_____ Local Union #_____
(please print)

Address _____

City_____ State or Province_____ Zip_____

Phone (____)_____ Company_____

☐ City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐ Construction ☐ Production

☐ Other_____

____$25 membership fee—for one year's membership & subscription to CONVOY DISPATCH.

____$60 three year membership fee. ($10 of this shall be rebated to the local chapter.)

____$15 for spouses; retirees; & Teamsters who gross less than $12,000 a year.

☐ Check or money order ☐ Cash

☐ Mastercard/Visa:#_____ Exp. date_____

Date_____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210
(TDU membership is kept confidential from employers and union officials.)

Teamsters for a Democratic Union
P.O. Box 10128
Detroit, Michigan 48210
(313) 842-2600

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From the Members

Corruption Hurts All Teamsters

I appreciate your coverage of the crime and corruption of union officials and the "Your Dues Pay for This" column. I understand that as many as 75% of Teamsters are non-truck drivers like myself. I imagine many of them are not covered by national contracts or a union pension fund. These are important issues and deserve whatever coverage can be given them. The bottom line is that 100% of Teamster members are affected by the corrupt use of our dues. Keep up the good work!

James Skinner
Local 243
Union Lake, Michigan

UPS Incentive Plan Is Evil

On the National Contract Questionnaire, one of the questions was to put seven items in order of importance. One of these was Profit Sharing/ Bonus. For many UPSers, this sounds like something good, because UPS's profits are quite high. Personally, I think this item was put on the questionnaire at UPS's suggestion, to try to get the incentive plan negotiated into our contract. It is a very deceptive plan that our negotiating committee should not be a party to.

The incentive is an evil, discriminatory, *anti-union* idea to increase production and cause dissension among the men. Also, the numbers are too easily manipulated by UPS. Any local that has allowed this plan to be implemented should be harshly reprimanded by the International. (Ha! Ha!)

We need to alert UPSers as to what the International and UPS may be up to and, hopefully, by working together we can put a stop to any incentive plan ideas.

UPS Teamster
Local 776,
Harrisburg, Pennsylvania

We Lose with Two-tier Clause

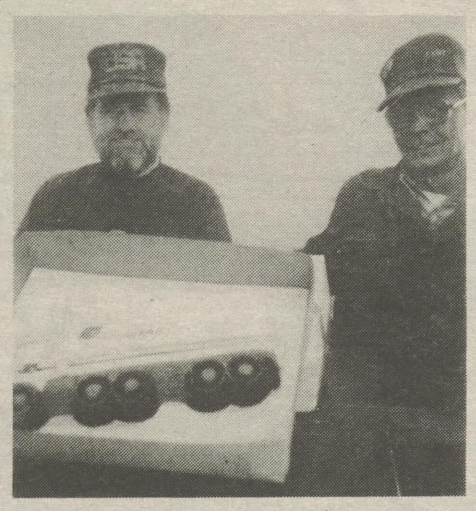
When backpay checks were received here at Toledo Roadway for linehaul drivers, 70%ers got bigger checks than fullrate people. This is another example of how they intended to use this 70% clause—proving that it was exactly as the membership thought, not as Presser preached.

David Branch
Local 20
Port Clinton, Ohio

Keep Up the Good Work!

Keep up the good work. We at Consolidated Freightways in Atlanta enjoy reading *Convoy Dispatch*. It helps keep us abreast of the problems facing labor in today's trucking industry.

Norris Deyton
Local 728
College Park, Georgia



TDUer Retires

Don Schanz (left), a longtime TDU member, and C. Johnson celebrating their upcoming retirement from Indianapolis Transcon. Both have 35 years service. No management was invited to share the cake, Schanz and Johnson tell us, as they are particular who they dine with. Steve Key, Indianapolis Terminal "Warden" told Schanz that management would celebrate when they left. "We ate the cake on company time," Schanz said.

How To Contact TDU

We want to hear from you. Contact us at one of the locations listed below for more information about TDU, or to send us articles or letters concerning Teamster-related issues.

TDU National Office: P.O. Box 10128, Detroit, MI 48210. (313) 842-2600.

TDU/PROD Washington Office: 2000 P St. NW, Room 612, Washington, DC 20036. (202) 785-3707.

TDU NY/NJ Office: YWCA Building, Room 620, 30 Third Ave., Brooklyn, NY 11217. (718) 834-0631.

Teamster Cannery Workers Organizing Project: Box 8548, San Jose, CA 95155. (408) 289-8415.

TDU Steering Committee

Co-Chairs:
Pete Camarata, #299
Dan Campbell, #486
Joseph Day, #170
Linda Gregg, #435

Organizer:
Ken Paff, #407

Trustees:
John Braxton, #623
Mike Friedman, #407
Doug Mims, #728

Members:
Doug Allan, #208
Millie Grant, (#728)
Diana Kilmury, #213
Tom Pizzuto, #863
Mike Savwoir, #41
Pete Sercombe, #150
Gail Sullivan, #278

Alternates:
Archie Cook, #705
Sam Fenn, #63
Delmar Bequette, #600

MOVING? Please notify us of any change of address. Otherwise you will not receive your *Convoy Dispatch*, as it is sent third class mail and will not be forwarded to you. Use the membership application in any issue of the paper to let us know you are moving, and write on the top of the form: **CHANGE OF ADDRESS.**

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Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers, warehouse workers — every kind of Teamster and spouses too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 1986 for one year. Our Rank & File Convention had over 400 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to reform or to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All Business Agents and Stewards should be elected. Vacancies in offices should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining their company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent till proven guilty, right to remain on the job till final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right backed up by our union to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT HOUR DAY AND FIVE DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25 and out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the difference in age, race, and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

Washington Watch

New Jersey Local 863

Drivers Win $43,000 Back Pay

Forty drivers for Lowenstein Driver Service Corp. have successfully fought a union-company arrangement to ice them out of union representation and union benefits. In April the New Jersey Local 863 members won a settlement at the National Labor Relations Board (NLRB) awarding them $43,000 in vacation pay, holiday pay and benefit contributions.

The drivers' legal victory strikes a blow at an outrageous "casualization" scheme set up by Lowenstein and allowed by Local 863 for many years. Lowenstein is one of several leasing companies providing drivers to Paul's Trucking Company. Paul's does work for Pathmark Supermarkets and has a contract with Local 863—as does Lowenstein.

In 1985 Lowenstein driver Paul Murray and other Local 863 members attended a New Jersey TDU meeting. They explained how dozens of Lowenstein workers were being classified as part-timers and were being given no contract protection, even though they were working fulltime. Murray, in fact, had been working at Lowenstein fulltime for three years.

Local 863 simply told the drivers that they were not entitled to union representation and could not receive any medical benefits, holidays or vacation pay. The New York/New Jersey TDU office got involved, set out a plan of action, and in early 1986 Ken Murray filed charges with the NLRB alleging that the union had failed to represent him properly and that the company had discriminated against him.

Casuals Win Right to Membership

As a result, Murray and 15 other permanent casuals won the right to membership in Local 863, setting the stage for the next battle and victory. Shortly after this, two other Lowenstein drivers filed charges on behalf of themselves and all workers affected by the scam.

Hoping to discourage the developing activity, Lowenstein then fired Murray over a minor accident that caused less than $100 damage. Charges filed by Murray over this retaliation were accepted by the NLRB and a hearing has been scheduled.

When Lowenstein sought a settlement with the NLRB over the two drivers' charges, the Board examined records to determine how many employees should have been covered by the union contract. It found that in addition to Murray, 39 drivers had been illegally kept out of the union and denied their benefits. The final settlement allowed for 80% of all vacation pay, holiday pay and benefit contributions that should have been made on behalf of the 40 workers. Those with medical expenses that should have been covered will be allowed to submit them to the health and welfare fund for reimbursement.

TDUer Ken Murray told Convoy Dispatch, "This case would never have been filed without the help of TDU. I hope the 39 drivers who are getting back pay will show their appreciation by joining TDU."

Whistleblower Law Preserved

Supreme Court Rejects Roadway's Challenge

On April 22, 1987, a divided U.S. Supreme Court reversed a lower court decision and ruled that the preliminary reinstatement provision of the truck whistleblower law, Section 405 of the Surface Transportation Assistance Act, was constitutional. This is a victory for all drivers and for TDU. TDU attorneys drafted this law and TDU was very involved in this case.

The Supreme Court decision arose from the case of Jerry Hufstetler, who was fired by Roadway Express in August 1983 after he repeatedly filed truck-safety complaints with the Department of Transportation. Hufstetler filed a complaint with the Department of Labor, and after a lengthy investigation, including interviews with many Roadway employees, the department ruled that Hufstetler should go back to work. Roadway objected, claiming that their constitutional rights were violated because they were being ordered to reinstate Hufstetler before they had a full hearing. Roadway won their case in the lower court.

The U.S. Supreme Court ruled that the district court had mistakenly failed to consider Hufstetler's interest in maintaining his job. The court said, "In light of the injurious effect a retaliatory discharge can have on an employee's financial status and prospects for alternative interim employment, the employee's substantial interest in retaining his job must be considered along with employer's interest when determining the contitutional adequacy of Section 405 procedures."

Roadway had also argued that they had not been given the opportunity to confront employee witnesses who gave evidence against them. The Supreme Court ruled that the DOL must disclose additional information to employers before issuing their finding, but that they need not provide the names of employee witnesses prior to a hearing.

The Roadway case will have the practical effect of returning discharged employees who file meritorious claims under Section 405 to their jobs within a matter of months rather than years. Because of Roadway's claim, and the length of the DOL investigation, Hufstetler was out of work for three years before being returned to his job in January of this year. (He won $171,000 from Roadway, as he described in *CD* two months ago.)

Washington Office

This page is devoted to news from the Washington office of TDU—formerly PROD's national office. Litigation, designing new legislation and reforming safety regulations—the Professional Drivers Council of TDU is here to help you. Contact us today at:

PROD/TDU
2000 P Street NW
Room 612
Washington, DC
20036
(202) 785-3707

Legal Briefs

Chicago Local 705 Pension Fund Settlement.

Some long-time participants in the Local 705 Pension Fund will be entitled to greater pensions than they have been receiving, thanks to the recent settlement of a court case in which a widow claimed that the fund had unfairly penalized her because of her husband's break in service.

The settlement redefines what constitutes a break in service under the Local 705 fund for work done between 1955 and 1976. Under the new rules, a break can only have occured when a worker wasn't in covered employment for each of two consecutive calendar years during that period. So, if you missed one year covered employment before 1976, or if you missed one year and then several years later missed another year, you are now not considered to have had a break in service.

The effect of this settlement is that Teamsters who previously had been considered to have a break because they missed a year before 1976, and are still working in covered employment, will automatically have their years of credited service adjusted.

If you have already retired and had a break in service before 1976, you should contact the Local 705 Pension Fund immediately to request an increased benefit as a result of this settlement. This applies to both retirees and widows or widowers of retirees.

If you applied before this settlement and were denied a pension because of a one-year break in service before 1976, you may be eligible for a pension now.

California Judge Tells Committee to Rehear Case.

A federal judge in California has refused a request by Yellow Freight and the IBT that he uphold a joint committee decision allowing the unfair drug testing discharge of Jerry Westover. Instead, he noted problems in the grievance committee's handling of the case and has said they should rehear the case.

Westover was fired after management demanded he take a drug test and he asked for time to consult his union steward, since he knew management did not have the "probable cause" required to demand a test. Management then refused to let him take the test, after he consulted with his steward. He got his own test from the company's own clinic, and it was negative, refuting any claim that he was intoxicated.

But Westover's BA and the grievance committee both ignored the company's lack of probable cause and Westover's test result. The judge's order says the committee must now decide if, in fact, management had probable cause. Westover is represented by TDU attorney Barbara Harvey.

NLRB Charges UPS Over Work to Rule Protest Retaliation.

On March 31 the National Labor Relations Board charged United Parcel Service with violation the rights of two Virginia Local 639 TDUers, Anthony Smith and Doug Bell. UPS had issued warning letters to Smith and Bell in retaliation for their organizing or "Method Awareness Days"— a tactic they used to protest UPS policies by encouraging co-workers to follow all company rules. A hearing has been set by the NLRB for August 17, 1987. In the meantime Smith and Bell continue to hold their Method Awareness Day meetings.

Barstow, California "Focus on Freight"

Yellow Freight Shows Their Appreciation

In the March issue of the *International Teamster* there is an article titled "Joining Forces to Save an Industry." It states, "Management in many industries has been known to concoct cooperative schemes to increase productivity, but the Teamster delegates have uncovered no such ulterior motives with the TMI Job Appreciation Program."

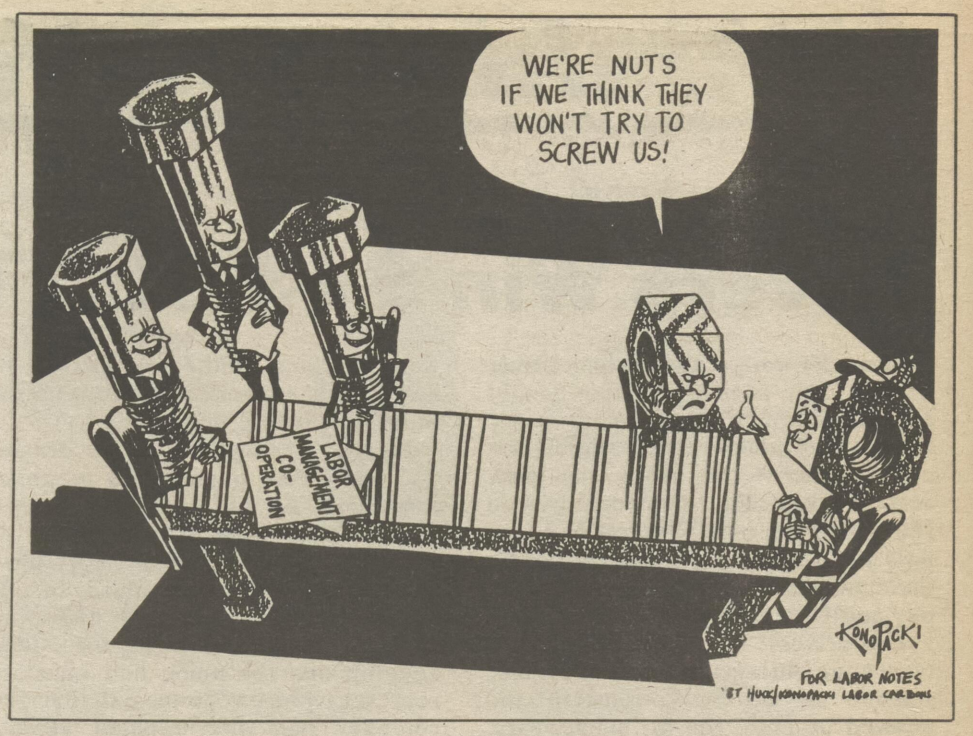
At the Yellow Freight breakbulk in Barstow, California, we know from experience what this "job appreciation program" is all about. By now most freight Teamsters have received a couple issues of the "Focus on Freight" newsletter. Upon arrival of the first one here, Yellow management called a stewards' meeting to discuss it, paragraph by paragraph.

Branch manager Jon Moyer said the letter means that Yellow will be looking to cut costs in 1987, focusing on productivity, and that Jackie Presser is basically telling the employers with this letter that if the companies set reasonable standards then "his" Teamsters will get off their asses and do their jobs.

Several weeks later management made an attempt to eliminate hostler jobs in the yard by implementing a new yard procedure. A new supervisor was added per shift and a computer setup, costing in excess of $100,000 per year. When this new procedure fell short of expectations yard coordinator John Dial told day-shift hostlers that they were required to make a specific number of dock moves per shift. He told line hostlers to do a specific number of hooks per shift, to meet productivity goals set by the company. Dial said he would take whatever disciplinary action he had to to meet these goals.

In a recent meeting with the graveyard and 3 am dock crews, terminal manager Keith Schaler told them they were required to break 1½ trailers per shift or they would be disciplined for abuse of company time—up to and including discharge. Regional manager Dennis Yule recently requested that some stewards advocate to everyone that we all cooperate with the company to increase our productivity level.

This move to document and increase productivity in preparation for the 1988 contract negotiations was quickly answered by strong resistance and overwhelming unity. This kind of unionism has afforded Barstow Teamsters the honor of "pride of the Western Conference" in the freight division.



If Teamster officials are having any trouble uncovering ulterior motives by the TMI employers in concocting cooperative schemes to increase productivity, they should contact Yellow Freight management in Barstow, California for the real story.

High Desert Chapter of TDU

Program Encourages Backstabbing

Preston Joins Spy Network

Preston Trucking "associates" beware. Do you suspect that your phone may be tapped? Do you have the feeling that somebody's watching you? Has Preston hired Ollie North under the table? On April 3 Preston sent out a letter to all "associates" announcing that they have joined an organization called "The Network." This company takes toll-free calls to let you inform on your union brothers and sisters, while remaining completely anonymous. How convenient, you say? For Preston management it is. The letter comes right out and asks employees to watch each other and then report any "business abuse" to "The Network."

Preston takes their spying operation seriously. Reports have come in from many Preston drivers about surveillance in the city. Many have been fired and disciplined after being secretly followed and alleged to have "stolen time" from the company. In York, Pennsylvania the company fired two city drivers for "stealing" 11 minutes and 19 minutes respectively. The company based their charges on the reports of company spies—who were never identified. However, the drivers involved kept good records, had witnesses, and received good representation from Local 430 President Ken Stocker, and were reinstated with back pay. The lesson being that drivers should document their stops, deliveries and pickups very carefully.

Several Preston employees have suggested that Teamsters use the toll-free number of The Network to report "business abuse" committed by their bosses. So, if you see your boss stealing time by visiting with the secretaries, or perhaps having one too many martinis at lunch, don't forget to call 1-800-241-5689 or 1-800-282-5492 in Georgia. Maybe a hundred calls a day from Teamsters reporting business abuse by their bosses will keep them busy.

Freight Lines

Freight Industry Booming in 1986.

The final figures are in for 1986 and the result is a highly profitable year, the best since 1978 for general freight carriers. Tonnage was up by 2.9%, mileage up by 7.1%, with a revenue growth of 7%. Operating profits rose by 51.9%. Figures for most NMFA carriers were even better, with Yellow posting a 21% increase in profits and CF a 12% increase. Roadway profits rose only 1%, largely as a result of losses by RPS, their package division.

And Management's Pockets Are Bulging.

While Teamsters under the NMFA got a 50c raise recently, management treated themselves to some hefty salary increases. Salaries for supervision were up by 9.5% in 1986. CF's R.F. O'Brien pulled in a cool $979,000 for 1986. From 1984 to 1986 O'Brien has stuffed his wallet to the tune of $4,072,000. A less impressive salary, but still not chicken feed, was that of Yellow Freight's G.E. Powell, who took in $658,000 in 1986.

Antitrust Suit Filed Against Three Major Carriers.

Lifschultz Fast Freight, a New York City based carrier, filed suit on March 3 against Yellow, CF and Roadway, charging the giant carriers with predatory pricing policies and intent to drive other carriers out of business.

The big three carriers have doubled their combined share of LTL (less than truckload) freight over the past ten years through, Lifschultz claims, "dominance and control of the highly profitable transcontinental market and have used their profits to subsidize their unlawful practices in other markets." The suit alleges that the three carriers control several rate bureaus, and have conspired to maintain artificially high rates on routes where they are dominant, allowing them to heavily discount the freight to other markets, thereby "destroying the competition and enjoying monopolistic profits."

The big carriers dominance of the LTL market is unquestionable, and was made worse by concessions tailor-made for them in the last agreement. What we need is solidarity among Teamsters and a firm stance against special deals to the big LTL carriers next contract.

Drug Testing Slaughter at PIE.

The marriage between workers and management at PIE, through their ESIP plan, has apparently been a rocky one, for the workers that is. In the March issue of *Heavy Duty Trucking*, PIE reported that 8% of their drivers fail DOT drug screen tests. That means that approximately 500 drivers have been fired. The tragedy of unfair and inaccurate drug testing becomes crystal clear with some basic math. If 500 top-rate drivers were replaced by the same number of 70%ers, the cost savings to PIE equal about $5 million over the course of the first year. Is this accounting for PIE's "miraculous turnaround"?

Churchill Contract Sellout Lives on.

In the past we have reported how Presser assistant Bobby Kavalec signed an illegal sweetheart deal with Churchill Trucking, allowing them to operate separate from the national freight contract in Ohio. The Kavalec contract called for wages $5 below the NMFA rate. Last month members in Cleveland won NMFA wages and escaped from Presser's Local 507 into Local 407 (a freight local), where they wanted to be all along. In Columbus, however, Local 413 BA Carl Clay has still taken no action to stop the sellout contract, so his friend Kavalec's deal still lives on there. (Cincinnati Churchill drivers don't have the deal.) Prediction: eventually Columbus drivers will demand the full contract, Clay will suddenly "discover" the problem and, in the meantime, Churchill will have pocketed all that money.

Dispatch Problems Tackled

Wins Scored at Roadway Terminal

In April Atlanta Roadway drivers set a plan of action for overcoming a series of problems at their terminal. They had several meetings with Atlanta TDUers and discussed issues with the TDU organizer. Recent events show that their planning and unity have paid off in some solid victories.

Dispatch problems were the first to be tackled and overcome. Roadway had been dispatching drivers out of their assigned call blocks—in violation of an agreement between the company and Local 728 that drivers were not obligated to answer a dispatch out of their block. Roadway threatened dismissal to drivers refusing dispatch when called out of their block. Initial complaints to the local about this problem didn't get any results.

At the April TDU meeting drivers agreed to file a group grievance. They also decided to request a copy of the dispatch procedures from the union hall. After a majority of drivers filed onto the grievance, results were gotten: Roadway stopped violating the call block rule. One problem was solved, but there were more to go.

Fight for Time Off

Extra board drivers were faced with the biggest problem at the terminal. Roadway was making it impossible for them to get time off. In several cases drivers went eight to ten weeks babysitting the phone without a day off. One driver had records documenting he had no time off for two years, except for sick days.

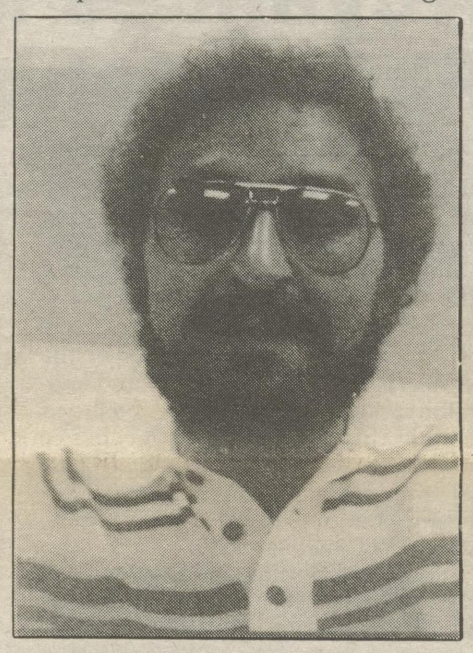
According to the Southern Conference Supplement, extra board drivers can get time off if they have been available for seven straight days. No more than 15% can be off at one time, and Roadway was claiming that the 15% was exhausted. Local agreements in Meridian, Memphis, Chattanooga, Nashville, Houston and Dallas have overcome this trick by providing that extra board drivers can get off during the next available time if they request it. Local 728 is lagging behind these other areas on this protection.

The first step was to identify drivers who had requested time off. An agreement in late 1986 had stated the company would post the names of the drivers given time off. They posted it only once, so a grievance was filed to get it posted again. Now the company is posting an accurate list of who is off.

Armed with this small victory, the drivers want to win the real solution of getting Local 728 to negotiate the same protections other Southern Conference drivers have. Their strategy is to take their logs and other proof of their lack of time off to the Department of Transportation and the media. In light of all the publicity lately about poor truck safety, the news media should be interested in a situation at Roadway where some drivers are getting no time off for up to ten weeks.

To spread the word and keep building unity, the drivers are now producing a newsletter called the *411 Dispatch*, which is starting to make the rounds at terminals throughout the South.

Atlanta Roadway members have shown that progress can be made and unity built. If your terminal is having problems, contact the TDU national office to discuss what can be done.



George Kirby, CF, Local 728: "Being a member of the Atlanta TDU Chapter has given me the feeling of helping other Teamsters stand up and walk tall. All we want is a union walking tall beside us."

CF Leasing in South Stopped

Consolidated Freightways has, at least for the time being, stopped its use of leased drivers in the South. Over the last several months the company had escalated its use of leasors. Recently a group of angry CF drivers confronted IBT Secretary Treasurer Weldon Mathis about this contract violation. Mathis agreed that it was a violation and stated that the International Union was in the process of stopping it.

Apparently he meant what he said: reports indicate that diversion of freight to leasors has stopped out of many southern locations.

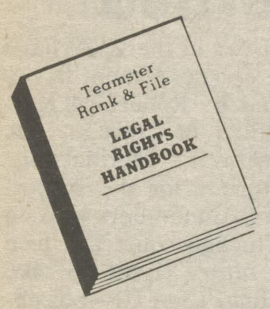
This is a positive sign, especially if CF's contract busting is stopped permanently. But after all the talk about better contract protections in the 1985 agreement, surprisingly little has been done to stop major carriers like Roadway, Preston, CF and others from diverting freight, stealing jobs and demoralizing Teamsters from coast to coast.

Carhaul Meet Sets Plans

TDU carhaul leaders from across the country met on May 2 and 3 to set plans aimed at winning a good contract in 1988. The conference also heard a report on the current UAW negotiations with the Big Three from Pete Kelly, President of Local 160 at the GM Tech Center. Kelly has served on the UAW National Negotiating Committee and is a leader of a coalition of UAW locals working to stop the automakers' whipsawing of locals against each other.

Two sessions of the carhaul conference were devoted to outlining problems in the current contract. Various solutions to these problems were also outlined, and will serve as the basis of discussions to be held at local meetings in all areas of the country between now and October. At the TDU Convention on October 10-11, 1987, a final program will be adopted.

The conference also discussed organizing tactics to increase the clout of the union and of the rank and file members in the negotiations. There was also a special owner-operators meeting to discuss their problems and the current situation at Dixie/HSI.



Teamster Rank & File Legal Rights Handbook

with information on the latest cases affecting you as a rank-and-file Teamster

"This is a terrific tool for the rank and file movement. It's the first place that a union activist should look for the answers to questions about labor law."

—Michael Goldberg
Professor of Law
University of Pittsburgh

Answers your questions on:

- Uses of the NLRB
- The Grievance Procedure, the Labor Board and the Courts
- Safety and Health
- Pensions
- Discrimination
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- Also Includes New Glossary of Legal Terms

Yes, I would like to order _____ copies of the Legal Rights Handbook. Price: $8 each ($5 ea. for 5 or more).

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Local No._____ Phone ( )_____

Send to: **TDU, P.O. Box 10128, Detroit, MI 48210 • (313) 842-2600**

Short Takes

Presser's Leadership Does it Again. A review of the 1986 LM-2 financial report for the International Brotherhood of Teamsters reveals that we lost another 73,000 members in 1986, down to a total of 1.55 million Teamsters. This is despite Presser's raiding of other unions to beef up the membership rolls. This net loss of 73,000 is much worse than the loss of 21,000 last year.

The Silver Lining. Despite the shrinkage in membership, there was plenty of money to pay a 100% cost of living increase (to fully match the inflation rate) to International Union officers. By the way, do you have a cost of living clause in your contract anymore? You may feel it's not needed as inflation in the past few years has been very low. But it is now moving up and economists project that it may hit six to seven percent by the end of 1987. This would mean freight, UPS, and many other Teamsters will need a $1.00/hour, per year increase, just to stay even. Maybe that's why Presser and other IBT officers have a full COLA built in.

LM-2 Financial Reports on local unions and other affiliates will be obtained and made available to TDUers soon. Please be patient. We have submitted a list of hundreds of them to the U.S. Department of Labor, but they are very slow in filing them and making them available.

CB Communication. TDU is about education and communication. We depend on the rank and file to spread the word. Many drivers use the CB radio to help, and one passed along this opening line to get a conversation going on the radio—"Anyone seen Jackie Presser lately?" He reports it works every time.

Chicago Local 705 Has Established a Strike Fund, funded by a $5 assessment each month for a year, to be placed in "a special interest bearing account separate from the general funds of Local 705 and would be used only to provide strike benefits...the strike fund could be used to supplement the strike benefits paid by the International and to provide emergency benefits such as payment of rent and food for needy members."

Denver Local 435 has an orientation program for all new members of the local, giving the members a reduced initiation fee if they participate. The local has also prepared a special packet for each part-time UPS employee hired, informing the (mostly young and new to unions) workers of their rights regarding safety, health insurance, representation and more.

Weldon Mathis Tries to Ignore Proper Procedures

TDU Stops Undemocratic Bylaw Changes

TDU members in Atlanta Local 728 won a victory for democracy within the large statewide local by stopping a bylaws change which would have disenfranchised most of the membership.

The controversy arose at the February general meeting when Local 728 President and International Secretary Treasurer Weldon Mathis announced that he was proposing some new amendments to the local bylaws. Included in the changes was an amendment that would have restricted the membership from revising the bylaws exept during a six month period once every five years. The local tried to sell the five year proposal by linking it to an amendment that seemed to provide for elected stewards, a provision TDU members have been fighting for. Since the proposed amendments were never sent to the membership or posted, most members were in the dark about them.

The word had spread that Mathis was proposing an elected stewards amendment, of course with no mention of the five year provision, but TDU members wanted to see the wording of it. After much badgering, TDU members were able to obtain a copy of the proposed changes and found that there were no changes for elected stewards. Local 728's attorney later confirmed that Mathis meant for stewards elections to be advisory only, with the Executive Board retaining power to veto any of the members' selections.

Because Local 728 covers the entire state of Georgia, and because the majority of road drivers are dispatched on Saturday, only 50 members were able to attend the meetings where the changes were read.

At this point, TDU members entered into negotiations with the local to get proper notice posted of this important vote to the membership. They also were attempting to get a voting procedure—either by mail ballot or multiple polling places, and absentee ballots that would enable most of the membership to vote. The local conceeded to allow one additional polling place, in Savannah, and sent out a notice that failed to inform anyone of what the bylaw proposals were all about.

On the Thursday before the vote was scheduled the members went to federal court and won a restraining order stopping the vote until the court could decide what remedies were needed to give a fair vote to all the members. At the scheduled meeting that Saturday, Weldon Mathis went into a rage calling one of the plaintiffs, Doug Mims, "a bald faced, low down liar," and threatening to file suit against Mims. This bluster was just for show. A few days later the local officials came to the plaintiffs to settle the case. The result was the local's withdrawal of the bylaw proposals and a dismissal without prejudice by the plaintiffs that allows them to go to court if the issue arises again.

The right of the membership to an informed vote on bylaws will arise again, for with this victory in their pocket, TDU members in Atlanta have now vowed to bring before the members a proposal that would truly provide for elected stewards. Doug Mims, CF driver and member of the TDU International Steering Committee, said after the decision, "It's unfortunate that we have to keep tying up the local attorneys, and brother Mathis, just in order to give the membership a say in this local union. But we need to be vigilant and watching for the members' interest at all times. We hope that brother Mathis and the executive board will support our proposal to give the membership the right to have stewards of their own choice. And we look forward to the day when we can work hand in hand with the local on the serious problems confronting our union."

Connecticut Honcho Rossetti Pleads Guilty to Embezzling.

One of Connecticut Local 191 Secretary Treasurer and Joint Council 64 President Tony Rossetti's expressions used to be, "If you're a winner, go to dinner." As of June 16, the only dinner Tony will be getting will be at the federal penitentiary. Nor is Tony going to be a winner in any local union, joint council or other election. This is all because Rossetti pleaded guilty to embezzling on April 10 and was then sentenced to three months in jail, two years probation and 600 hours of community service. The judge is currently making the final decision on how long Rossetti will be barred from office, which by law could be from three to 13 years. Rossetti was also fined $1500 and ordered to restore $24,000 to the Local 191 treasury.

As reported in *CD #63*, Rossetti was indicted along with 14 others for bilking a union dental plan. Originally, Rossetti had been charged with an additional four counts of embezzling, involving over $62,000, obstruction of justice and other charges. These were dropped in exchange for the guilty plea. Indicted along with him were other top Connecticut Teamster officials. Former Local 191 and Joint Council head Freddie Roberto also pleaded guilty. The trial of New Haven Local 443 President "Chicky" Pisano is continuing. Pisano is also Secretary Treasurer of Joint Council 64.

As head of the New England Area UPS Committee, Rossetti presided over a number of negative decisions including the sellout to UPS of protected fulltime jobs in his own local. When Local 191 UPSers "incorrectly" voted against the loss of the jobs, Rossetti ensured that they voted until the company got what it wanted. During his years as a UPS trailer driver, Rossetti was known for his hard work, off the clock, keeping his truck shined up. Rossetti also introduced slanderous "Blast" literature to New England in his efforts to oppose the growth of TDU. Calls by a *Convoy Dispatch* reporter to Rossetti for comments on his guilty plea and sentencing were not returned, although a Local 191 secretary told us that he was at the local hall in a meeting.

Judge Boots Crime Family from New York Unions.

Judge Vincent Broderick has issued an injunction barring all members and associates of the Columbo organized crime family and any associates of the Mafia's "commission" from holding union office or having connections to concrete construction projects. The unusual move came out of the same case which led to the placing of two New York City concrete workers' unions into trusteeship.

Advances Made By Philadelphia BOWL

On Easter Monday, rank and file members of Local 463 in Philadelphia took another step forward in bringing their local under control—but it's only a small step compared to what they plan for the future. TDU member Pat Wright was elected as a trustee, and Bill McFarland, also a member of the BOWL (Better Opportunity With Leadership) Slate was elected as a business agent in this 3,300-member local. The Bowl Slate, most of whom are in TDU, lost the other positions by narrow margins ranging from 33 to 77 votes, out of 2,000 ballots cast.

The very fact that the election took place was a victory for the rank and file. The election resulted from a Department of Labor ruling that the previous election was fraudulent. For the past two and a half years, BOWL members have campaigned in each of the 80 or more barns in the local's jurisdiction, which covers the bakery and dairy industries in eastern Pennsylvania, south Jersey and surrounding areas. As a result, the level of rank and file discussion and awareness dramatically increased in the local, which had not had a contested election in over twenty years.

BOWL distributed tens of thousands of copies of their literature, which included the TDU Rank and File Bill of Rights, the TDU Pension Handbook, and thousands of copies of each issue of *Convoy Dispatch*. The incumbents, in turn, were forced to show up and campaign, marking the first time some of the business agents had been seen in their barns in years.

"The days are over when the leaders of this local can do whatever they please and not care what the members think," said newly-elected Local 463 Trustee Pat Wright. "Bill McFarland and I will make sure of that."

Said TDUer Jerry Leech, who headed the BOWL Slate, "If the incumbents worked as hard for the members as they did for themselves during the election, this would be a good local."

Bowl members have filed election protests with the Department of Labor, and with Teamsters Joint Council 53, regarding numerous campaign violations. Only a few days after the ballots were mailed to the members, Leech's employer ordered him back to wotk from the vacation which they had already granted him, obviously bowing to pressure from the union, and denying him the time to campaign at a critical time in the process.

In all, there are 15 charges of election violations. If these protests fail to produce a new election, "BOWL will continue to inform and organize the members, and implement the very policies which we would have carried out in office," said Jerry Leech. "And then we'll be looking to the next election in 1989," added Mike Lynch. Walt Butler concluded, "BOWL is here for the duration."

Chicago PIE Suit Settled

All PIE employees in the ESIP have been sent notice of a settlement in the lawsuit sponsored by Robert McKersie. This suit, filed in Chicago, has nothing to do with the Florida suit. Allen Blake, attorney for the Abbott case, warns that PIE members who do not notify the Chicago court will lose all current and future rights to take legal action against PIE or IU—possibly even including compensation and pension claims. Blake is providing form letters to plaintiffs in his suit. This letter, or one like it, must be signed and sent to the Chicago court before June 5 indicating that you do not want to be part of the settlement.

"Bogus" Settlement

Jerry Abbott and Dennis Russell, plaintiffs in the Florida suit, report that the Chicago settlement is "bogus." It does not require that any funds be paid to any employee or to PIE from Maxitron or IU. Maxitron will actually get $3 million from PIE in the deal, and Maxitron will still have a lien on PIE assets and a majority of stock. Abbott, Russell and Blake invite PIE Teamsters to contact them at (813) 665-7131 (Abbott); (813) 646-7238 (Russell) and (813) 228-9897 (Blake).

Lawsuit Filed Against IU

Fraud Charged Over PIE Stock Plan, Sale

A lawsuit was filed against IU (International Utilities) on April 9 charging SEC violations, fraud, conspiracy and extortion in regards to the ESIP established at PIE and the subsequent sale of PIE to Maxitron (RPN Acquisitions).

The suit, titled *Abbot et. al. v IU*, was filed by some 600 PIE employees. More plaintiffs are joining the suit at this time. It is filed under the Racketeering Influenced and Corrupt Organizations (RICO) Act in a Tampa, Florida federal court. Last year, Presser's attorneys denounced the proposed suit, its organizers and the attorneys who prepared it. IU has not yet filed its response.

In one of the most bizarre and complicated corporate schemes in recent trucking industry history, plaintiffs in the suit are building their case based on the theory that IU conspired to phase out their unionized trucking divisions and create the largest non-union fleet of carriers in the United States. Plaintiffs allege that by stripping PIE of its assets and selling the company, IU escaped their obligations under the contract and evaded a $101 million pension withdrawal liability.

The plaintiffs claim that:

- In 1983, IU made a commitment to go totally non-union, resulting in the merger of their largest union subsidiaries, Ryder and PIE. In late 1983 Helms/Byrnes was also merged with the newly formed Ryder/PIE, making Ryder/PIE the fourth largest LTL carrier in the nation.
- In 1984 IU purchased Thurston, Poole, Ligon and Inway to compete directly with the unionized Ryder/PIE. IU then began diverting business to their non-union carriers. Plaintiffs contend that by allowing the use of the Ryder wedge logo, for their non-union divisions, IU could more easily divert freight to these divisions.
- The merged Ryder/PIE began to lose money in 1983, including substantial debt to the parent-company, IU, which weakened their ability to compete with the non-union divisions. In 1985, 109 Ryder/PIE terminals were sold for $86 million, drastically underpriced, back to IU.
- In late 1985, an ESIP (Employee Stock Investment Plan) was put into effect at Ryder/PIE to refinance their debt. The plaintiffs allege that IU intended to sell Ryder/PIE immediately after the ESIP was put into effect and after effectively stripping the company of its equipment and terminals, seriously hampering its ability to compete.

Fraud and Deception

Plaintiffs contend that IU defrauded and deceived the employees through the establishment of the company's ESIP. IU claimed that Ryder/PIE would be spun off to IU shareholders, but not until Ryder/PIE's performance improved. The sale to Maxitron occurred almost immediately after the ESIP was approved. IU claimed that they would continue to support the company until it could establish independent credit, and offered reassurance to employees that Ryder/PIE (now renamed PIE) would not be sold.

To sell employees on the ESIP several misrepresentations were made to employees. There was no mention in the prospectus of the value of stock gained in the ESIP. In several instances, the stock prospectus was not made available to employees to study before they signed on to the ESIP. Management was given specific instructions not to distribute the prospectus until management had made presentations.

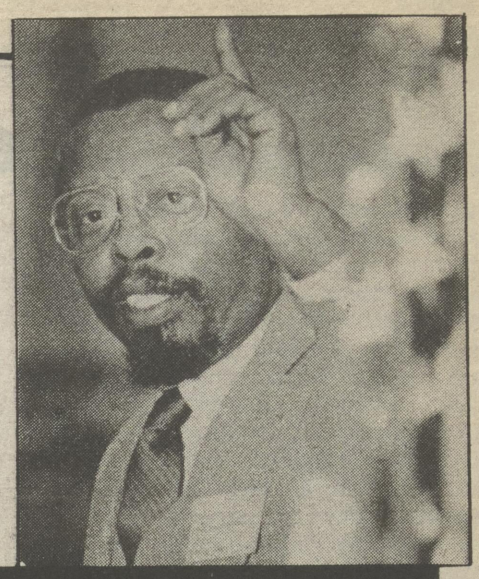
Plaintiffs also allege that employees were threatened and coerced to sign onto the ESIP. Employees were told the company would close down, bad jobs were given to non-signers, laid-off people were returned to work, signed to the ESIP and then laid off again, letters were dropped for certain individuals, and physical threats were made Management memos have been produced which instructed supervision to use "peer pressure" to achieve quotas and which condoned coercive tactics.

PIE was sold to Maxitron for a mere $3 million. To give some idea of the rock bottom price of the sale consider Union Pacific's purchase of Overnite, a smaller company, for $1.2 billion.

Maxitron itself was a shaky organization from the beginning. They had no experience in the trucking industry, lacked financial capital to operate the company, were highly indebted in other areas and, plaintiffs claim, were only interested in generating cash from the sale of PIE. The backgrounds of Maxitron's corporate officers cause considerable suspicion. One officer had been convicted of SEC violations, had two brokerage firms go bankrupt and changed his name. Another had been recently fired from a corporate position, promptly changed his name and left the country. Another had been tried twice for SEC fraud, and is currently under investigation by the Department of Labor for embezzling pension funds.

The question of who really owns PIE is up in the air and not likely to be decided until this case winds its way through court. The story of PIE, and its trail of corporate mismanagement, misrepresentation to its employees, management intrigue, and finally, complete disregard by the union for its members employed at PIE is a sad one. All Teamsters at PIE deserve an explanation.

Save the Date
October 10-11, 1987
Hilton International
Windsor, Ontario
(across the river from Detroit)



12th Annual Rank & File Convention!

Springfield, Ohio Dallas & Mavis

Office Workers Fight Benefit Cuts

Jupiter Transportation hot-shot Gordon Birdsall, who has been busy for a number of years now breaking the driveaway portion of the carhaul contract and imposing concessions, recently made a move to steal benefits from Springfield, Ohio clerical Teamsters at Dallas and Mavis.

The five women stationed in Springfield formerly worked for Howard Sober. When they got caught in the recent gobbling up of Sober by Dallas and Mavis (Jupiter Trans.) they found out that Birdsall was after the few benefits they had. In January changes were made in their health and welfare plan, including an increase in deductible to $200.

Birdsall also told them that the plan under which they had been getting bonds in lieu of a pension was not a "qualified" plan. He suggested they go into the Central States Pension Fund — under the lowest category. Under the provisions of the bond benefit they were getting $43 per week set aside per person. Under the bargain basement level of the Central States Pension Fund they would only be getting $12 per week per person paid in. In addition, the women were concerned over the loss of the years they already had in the bond program, and the fact that many of them would not be at Dallas and Mavis long enough to draw a decent pension.

A grievance was filed over these violations of their contract on February 7. It was heard at the Scottsdale, Arizona hearings in late April, but as we go to press the final decision has not been disclosed.

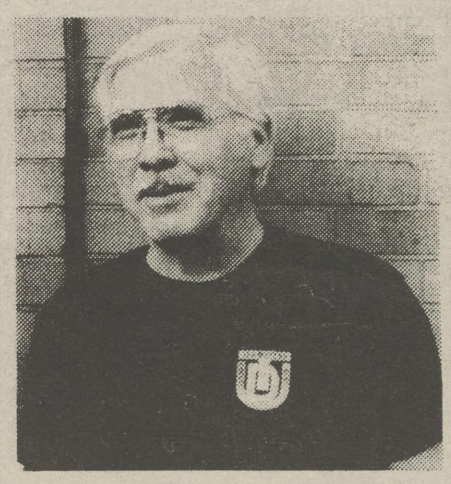
Emboldened by Birdsall's actions and encouraged by the lack of action on the part of Local 654, Springfield Dallas and Mavis boss John Webster told some of the women to hand in their union cards or they would lose their jobs! Legal action over this violation of their rights is currently under consideration.

Birdsall also offered them a profit sharing plan in lieu of the pension and/or bond plan. Steward Kim Hoover pointed out that profits could easily be hidden, resulting in little or no benefits for the members. "We'd be lucky to get even $200 a year," she told *Convoy Dispatch.*

Hopefully the grievance committee will move to stop these benefit-busting tactics by Birdsall. The international union could go one better by beginning to offer some real representation and contract protection to clerical Teamsters in carhaul and elsewhere.

TDU T-Shirts Available!

Summer is here and it's T-Shirt weather. We have new T-Shirts that display the TDU emblem on the left front of the shirt. They are stylish, durable and let you show your pride in TDU. Price is only $6.00. Order yours today!



Red: Sm.___ Med.___ Lg.___ Xlg___
Black: Sm.___ Med.___ Lg.___ Xlg___
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Some colors not available in all sizes; please indicate second choice.

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Return to: TDU, Box 10128, Detroit, MI 48210

TDU Takes Case to Justice Department

"Give Us the Right To Vote"

Amid reports from Justice and Labor Department officials that action will be taken by the federal government to "clean up" corruption at high levels in the IBT, TDU has called for a remedy of providing Teamster members the Right to Vote for top officers.

On April 10 the TDU Steering Committee wrote to Assistant Attorney General Stephen Trott a detailed letter explaining why any possible racketeering move against the top Teamster officials should feature changing the IBT Constitution to provide for the right to vote. This vote would be on a one-member one-vote system, with the sixteen vice-presidents elected by region or craft to provide for better representation.

TDU is aware that Justice and Labor Department attorneys are currently investigating the question of taking action against Presser and IBT officials under the Racketeering Influenced and Corrupt Organizations (RICO) Act. This law allows the federal courts to order "reorganization" of unions or businesses found to be controlled or influenced by organized crime. It has been used against Teamsters Local 560 which was run by the Prevenzano brothers (who are all in prison for various charges including murder, stealing health and welfare money and taking payoffs from employers). Currently, New York organized crime figures on trial face a charge that they illegally conspired to place Jackie Presser in power in our union. Presser's "ghost-employee" trial is slated for August.

The TDU Steering Committee carefully considered the issue at two meetings, sought TDU membership input, and solicited reports from attorneys on the issue. Any Teamster desiring a copy of the nine-page TDU letter can write to TDU. Please include a small donation to cover postage and copying.

The TDU Steering Committee also reviewed finances and organizational matters, personnel, the current efforts concerning the upcoming UPS contract, and discussed trends in Teamster local union elections. The next meeting will include a more detailed discussion on TDU recruitment and growth, which has been increasing steadily in the first months of 1987.

The TDU Steering Committee consists of 15 members and 3 alternates elected annually at TDU Conventions by the rank and file.

Kroger Teamsters Plan Pension Lawsuit

In April some 50 Kroger Teamsters met in Detroit to discuss a possible law suit over their exclusion from the best benefits in the Central States Pension Plan. Although they have been consistently promised they would get top benefits, senior Kroger drivers and warehouse workers are denied the 30-and-out, and new benefits that can pay up to $1500 a month (age 65 at 30 years' service).

Attorney Ann Curry Thompson outlined to the Kroger Teamsters what would be involved, and is moving ahead with plans to sue and win the pension rights. This could affect thousands of Teamsters employed throughout the Kroger chain in the Midwest, South and East.

TDU stands ready to defend the rights of these Teamsters, many of whom have over 30 years' service as Teamster members with Kroger. In 1971, they were asked by their union officials to leave the company profit-sharing plan and join the Central States Pension Plan. At the time, they were promised top benefits and told that their past service credits would count. Now they are told they only have 16 "contribution years" of credit, and that no one can get 30-and-out until the year 2001!

Interested members should contact TDU immediately to get questionnaires being distributed by Attorney Thompson regarding the situation. Where interest warrants, regional meetings will be held soon with Teamsters to discuss the lawsuit. Contact the TDU office in Detroit for more information.

In 1983 Thompson won millions of dollars for other Kroger Teamsters who were totally denied their pensions when the Detroit bakery closed. IBT vice-president Robert Holmes told them they would get zero, but they sued and won full pensions.

Use the Logbook

Dana Beougher
United Parcel Service
Local 79, Tampa, Florida

Recently I was shorted some overtime on my paycheck. The total was 50 minutes from two different weeks, which amounted to $19.09. If I didn't have a record of my daily times I would never have know that I was shorted—and UPS would have more money to put towards a new airplane.

As the above example shows, the *Daily Log Book* is a valuable tool that can make sure you are getting what is rightfully yours and aid you at grievance hearings. I definitely made a good investment by buying it, and recommend it to all UPS package car drivers.

Local 246 Bylaws

On Saturday, April 25, the members of Washington, D.C. Local 246, a small mixed-jurisdiction local, rejected bylaw amendments proposed by the officers and thereby put a stop to the local's seven year violation of their own bylaws. The controversy began in November, 1986 when a Local 246 member employed by the Washington, D.C. Metro Police obtained one of the rare copies of the local bylaws. He then called attention to the fact that they had been charging each member $3 per month over and above the union dues for a legal defense fund.

Local 246 bylaws make it clear that the $3 should have come out of the regular dues assessment. Members pointed this out, but the officers just turned around and proposed amendments, inlcuding one on the dues.

Despite other tricks by the officers the dues bylaw change was rejected by a vote of 43 to 17. They also voted to create a new bylaws committee.

GroceryBag

Is Drug Testing on the Way for Grocery Teamsters?

In our last issue, we reported that many grocery wholesalers and retailers are considering drug-testing programs. At Kroger's Foodland warehouse in Detroit, the company is stepping up the drive to make drug tests a regular part of the job. Local 337 officials have been presented with a company plan for testing whenever a supervisor suspects drug use, or whenever there is an accident on the job. The contract, which doesn't expire till next April, has no language allowing the company to order workers to submit to drug tests.

Cincinnati TDUers also report that Kroger is using drug tests in hiring, and that some workers have been pulled off the job to be tested. While no one advocates letting drug use go unchecked, grocery Teamsters need to be aware that once drug testing is allowed, companies can use it to harass, intimidate and fire innocent workers, especially high-seniority workers in a two-tier wage structure. This has been the case all too often in the freight jurisdiction, where many Teamsters who said, "It can't happen to me," found that it could. Contact the TDU office for more details on what can happen to you when you let your boss test you for drugs.

Quote of the Month.

This month's Quote of the Month is from the May issue of the *Voice of 7*, newspaper for UFCW Local 7 in Denver. As the local faces tough negotiations with Kroger's King Soopers division, they remind their members: "Concessions are dollars out of your family's pocket, for Kroger Chief Lyle Everingham, who gave himself an 83% salary increase between 1984-1986."

Connecticut Local 559 Defeats Concessions.

About 600 drivers and warehousemen at Springfield Sugar, members of Connecticut Local 559, have won a 25-35-35 pay increase, the addition of Martin Luther King's Birthday as a holiday, and top-level contributions by the company into the New England Teamster Pension Plan.

Earlier this year, the company laid off 170 members. They came into negotiations demanding a virtual end to seniority and job classifications. Instead of being scared off, the rank and file voted before the contract to authorize a strike, and when the midnight deadline arrived on April 25 they walked out. As a result of this tough stand by the membership, the company backed off on their concession demands and a good contract was won.

Revised Edition!

The UPS Rank & File Daily Log Book

The new revised edition of the *UPS Rank and File Log Book* will help you keep track of all the details that affect your job at UPS, from DR stops, to road conditions, CODs, and total number of stops. The package car log book contains 30 categories, has room for your own notes, will help you protect your job and be better prepared at grievance hearings. Each book lasts 3 months.

Price: $2.50 each or $2.00 for 5 or more.

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Name_____ Address _____ Local#_____

City_____ State____ Zip_____ Phone( )_____

Send your order to: TDU, Box 10128, Detroit, MI 48210

Virginia Local 639 TDUers:

"MAD" Unity Helps Beat Firing

Doug Bell, Anthony Smith
United Parcel Service
Local 639, Alexandria, Virginia

Last year at about this time we wrote about our successful use of MAD (Methods Awareness Day). The idea behind MAD is to follow company methods to the letter: taking our full one hour for lunch, walking and observing all proper safety, lifting, driving and other techniques. The purpose being to press management to comply with the contract and treat us with respect.

Recently we used MAD again when TDUer Vern Kays was unjustly suspended. Vern was suspended indefinitely, pending full termination, in retaliation for his outspokenness about repressive company practices and his attempts to inform newer co-workers about their rights. Even if it does not result in a termination, an indefinite suspension can last several weeks—so we had to act to show our solidarity with a member in need.

The legal drop of productivity and increases solidarity associated with MAD worked to force the company's hand. Vern was reinstated two days later.

We can't stress how effective this strategy can be. The resulting loss of production, while effective, is probably feared less by management than the unity generated. Once this unity is achieved just about any strategy you choose will be effective. Is MAD legal? Recently the National Labor Relations Board ruled in our favor over this question. Following our original MAD experience, UPS charged that we had encouraged a work slowdown. With assistance from TDU's attorney we filed charges with the NLRB and got a favorable ruling (see story page 3).

Anthony Smith, Local 639.

We need to keep building the same kind of unity nationwide—so that all UPS Teamsters can get the working conditions and respect that they deserve. Please be ready to vote "no" on any contract offer that does not address our needs. Stay tuned to the TDU contract campaign, make sure you are on the mailing list by joining and, if you can, donate to the contract mailing fund. Let's not let management's hard-sell tactics coerce us into accepting a substandard contract.

Focus on UPS Contract Issues:

Two-Tier Must Be Stopped In '87

"Unlike many agreements that have been negotiated there are no economic or non-economic concessions that will impact adversely on any employee (full or part-time) who is on the payroll on the date of ratification."

—Roy Williams, IBT President
June, 1982

A lot of water has passed under the bridge since Roy Williams made this promise about the new UPS contract in 1982. Now that we are facing a new contract, the gap between promises and reality need to be looked at closely.

When Williams made this promise no national Teamster contract contained any provision for a permanent two-tier wage scale. He stressed that the lower wage rates of $8 and $9 an hour would apply only to new-hire UPS Teamsters. Since 1982 a number of events have shown that Williams' reassurance was false, that two-tier would actually affect us all negatively.

In the last five years we have witnessed:

• *The reduction of top-rate part-time workers' hours.* After the 1982 contract was ratified, many part-timers found that work was being shifted to new-hires.

• *Increased harassment and discharges.* UPS Stepped up their attack on top-rate people. After all, they had an excellent incentive for doing so: they could replace them with workers making $4 per hour or more less. Estimates at some hubs indicate that as much as 90% of part-time workforces are new hires (since 1982).

• *Introduction of part-time drivers.* The foot-in-the-door led to a leg in the door when UPS imposed part-time driver agreements on a number of locals in 1984.

• *Lost unity:* the real goal of two-tier. We have seen its effects on

In these and many more ways two-tier has weakened our contract and our strength. When the new contract is presented in June or July these concerns must be raised and used as a test by which we decide to vote yes or no on the contract.

New hire part-timers have an interest in voting no on any contract that eliminates the two-tier; they will win far more than a measly bonus.

Top-rate part-timers have an interest in voting no unless two-tier is taken out. Their jobs will be more secure and unity will be increased.

Fulltime UPS Teamsters have many reasons to take a strong stand against two-tier. During the last several months many fulltimers have called for separate contracts for full and part-time Teamsters. This frustration is understandable, but separate contracts are not an answer. Stopping two-tier and fending off the trend toward more and more part-time jobs is an answer.

If you agree, join TDU and the national, organized effort to stop concessions and win a decent contract.

Contract Watch

Rank and File Activity Building from coast to coast over the contract. A sample of recent events: Washington UPSers from several locals converged on April 18 to set contract plans and discuss issues. A state-wide contract network is in the works, plans for a newsletter were discussed and $200 raised on the spot for the Right to Know Mailing Fund. Downstate Illinois UPSers contine to hold successful meetings on the contract and other issues. Thanks go to Logan, West Virginia UPSers for the collection taken at their center for the mailing fund. Drivers at the Seminole Center in Largo, Florida are using a creative method to raise money for the mailing fund: they have renewed their weekly "ball practice" in the parking lot across from the center. Every Wednesday they will be meeting to show unity, inform members by distributing *Convoy Dispatch* and their own newsletter, the *Big Deal News*. Donations for beer and soda, after cost, go to the mailing fund. A number of areas, like Alabama, continue good recruiting drives. What about your center?

In April, **Oakland, California Local 70** stewards met to get a report on contract negotiations and set plans for the contract. UPS is demanding changes in Northern California language on part-time benefits. To let the company know they mean business the stewards kicked off preparations in the event of a strike. Committees were set up for each work area and phone trees set up to build coordination.

Why Two-tier Wage Scales Are Starting to Self-Destruct is the title of a March 16 **Business Week** article that explains how the Machinists Union at Boeing and the Air Line Pilots at American Airlines have beaten back two-tier provisions in their new contracts. Sounds like a trend that should be continued with the UPS contract.

UPS and Downs

New York Local 804 Takes Case to UPS Customers.

In their ongoing effort to stop supervision from doing bargaining unit work, New York City Local 804 took their case to the public by distributing a letter titled "Will the Real UPS Stand Up?" The letter, which is signed by Local 804 President Ron Carey, states that, "What was once the United Parcel Service has now become the Unfair Parcel Service." It goes on to explain how UPS has forced drivers back in before their stops are done, and then sent out supervisors to finish them. Members in other areas may want to bring this to the attention of their local.

Pennsylvania Preloaders Distribute Part-time "Bill of Rights."

Preloaders in Philadelphia Local 623 have written and distributed a "Bill of Rights" for part-timers that outlines basic information on the contract. The idea originated with a fulltime preloader who noted that the company was violating the contract regularly around the newer part-timers because they had less information about their rights. Although some of the rights listed in the flyer will vary in different locals (like number of personal days), many of them are the same throughout the country. The flyer could also be easily modified to fit your own local supplement language. Copies are available from the TDU office at no charge for TDU members. A $1.00 donation is suggested for others.

Chicago Triples Paid Double Rate.

Feeder drivers in Chicago are being paid the rate of pay for double trailers when they pull the new triples. A new rate could be negotiated right away, but Local 710 officials are waiting for the new contract. Hopefully, it will also contain safety language regarding the more dangerous triple trailers.

Ohio UPS Ordered to Stop Incentive Plan in Columbus.

In March the National Labor Relations Board (NLRB) reached a settlement with Columbus, Ohio UPS over their implementation of the incentive plan. UPS unilaterally imposed the plan without bargaining with Local 413 or taking a vote of the members. In the settlement UPS agreed to rescind the program and not re-introduce it without first negotiating with the local. This shows again that locals do not have to accept the plan. Some locals in Kentucky and Northern Ohio let the plan be set up and have basically told members there was little they could do. For more information on the Columbus decision and on what you and your local can do to stop the plan please contact the TDU office.

Coltrans System

Owner Operators Resist Cuts

As *Convoy Dispatch* goes to press, owner-operators at Coltrans Systems' terminals are facing a confusing flurry of demands for concessions. Coltrans operates as Dixie Auto Transport in Chicago; Smyrna, Tennessee and Jacksonville, Florida. They recently merged terminals of Dixie and KAT in the Eastern Conference, run under the Howard Sober label.

Basically, Coltrans' demand is that $15 per car be deducted from the revenue before the driver's 65% share is deducted. This is a very big cut, especially for local drivers who haul a lot of short, one-way trips. Pay on a typical short, 9-car trip would be reduced from $156 to as little as $90.

Management has also demanded that drivers begin leasing the trailers. Coltrans can't even offer to sell them because of liens other lenders have on the equipment. So drivers would effectively be paying off corporate debt without obtaining equity in the trailers. Drivers would receive an additional 10% of the revenue as provided by the contract. But, besides picking up the trailer payments and maintenance, management wants to deduct a further $3 per car from the drivers' checks as an escrow deduction to cover damages, which under the contract are paid from management's revenue share.

When Coltrans first made these demands in mid-April, they blew all credibility by trying to rush members into a decision. They even claimed management could make some of the changes without members' approval.

Some progress was made at the meeting involving most locals on Tuesday, April 28, at the National Grievance Meeting in Arizona. Although some local and area officials backed the deal, International officers gave assurances that no deal would go through without a vote of the members and that the union would use its right to examine Coltrans' books.

The Arizona meeting was a perfect chance to hammer out a clear policy with the participation of all locals. But the matter was postponed until a meeting at the May 4 Central/Southern grievance meeting in Chicago, which the Eastern locals would have no other reason to attend. The tight schedule in Arizona was the reason given, but all of Wednesday afternoon was set aside for golf.

The Eastern Conference locals have reacted with a uniform anger at management's high-handed manner and outrageous demands. Portsmouth, Virgina drivers are especially upset since they went along with adjustments in their local rider in January, only to be told in April that much more must be given.

Although management has claimed the Smyrna drivers in Local 327 would go for the deal, a poll of 115 drivers at a meeting on May 3 showed 114 were opposed.

New Jersey Members Back Steward

Another sad sidelight of this story was an effort by management to dictate who would be steward for the drivers in New Jersey Local 560. When the drivers arrived for work one day in late April, they were concerned management would ram through a change while they were on the road. While they waited for clarification of the situation, management called the International Union to claim a wildcat strike was in progress and demanded removal of the elected steward, Mike Nastasi. When the International Union relayed this demand to BA Al Vallee, he immediately complied—without an independent investigation, which would have shown that Nastasi told the men they would have to get to work. On May 2, seventeen Local 560 drivers met with NY TDU organizer Susan Jennik and began steps to protect their right to choose their own steward.

Commercial Carriers and F.J. Boutell

Double Breasting Threat Spreads

At their April 6 carhaul union meeting, Local 299 members passed a resolution stating, "The attempt by Ryder Systems to subvert the carhaul contract by the shift of Allante traffic from Commercial Carriers to F.J. Boutell is a serious and immediate threat to all Teamster carhaulers." The resolution appealed to all carhaul local unions and business agents to support Local 299's fight against Ryders double breasting. It was mailed to all carhaul locals.

Ryder System's management wasted no time proving the Local 299 members were right. When they wanted Complete Auto Transit drivers in Moraine, Ohio to haul some traffic for 10c a mile less, they threatened to bring in Boutell if the CAT drivers voted no. The blackmail worked, and the new concession was passed.

In another development, the Boutell drivers brought in to haul the Allantes in Detroit have declined Ryders "generous" offer to cut their pay. So for the last several months, this traffic has been handled at full-rate, which is strange since the supposed reason for all this is Ryder's contention that the Allantes can't be hauled full-rate. If you're confused, that's exactly what Ryder wants.

At the April 27-29 National Grievance Panel meeting in Scottsdale, Arizona, Local 299's grievance against the double breasting was delayed pending further negotiations at the local level. Hopefully, this reflects a realization by Ryder that there is a limit to how far the members and officers of the Teamsters Union can be pushed. But it seems certain that before this matter is resolved, Ryder will make more efforts to whipsaw the CCI drivers and the F.J. Boutell drivers against each other for the greater profit of Ryder Systems.

Trusteeship Fended Off In Local 896

California Local 896, which covers brewery and bottling Teamsters statewide, was threatened with trusteeship when its secretary treasurer, Joe Close, stopped holding meetings, violated basic norms of functioning and virtually disbanded the elected executive board because five of its members had run on an opposing slate. In February the International Union conducted a hearing to consider putting the local into trusteeship. In this way Close hoped to rid himself of the elected executive board.

But the members and the executive board held firm, making it clear that they would take any action needed to maintain an independent local. In April it was announced that no trusteeship would be imposed and that Close would resign on May 1. Elected President Del Harris will take over as secretary treasurer. Budweiser worker Tim Ridosh will join the executive board as a trustee to fill the vacated position.

Hopefully the local can now devote its full attention to upcoming soft drink negotiations and restore the normal functioning of the local.

Celebrating a Strike Victory

A recent article in the International Teamster magazine played up the struggle of Watsonville, California cannery workers against union-busting. Nothing was said about the Local 912 members voting down the first union-approved contract offer. Above: Watsonville Cannery workers celebrate their victory.

Southwest Rail Loader Cuts

Coordinated, nationwide pressure is being put on the incentive pay, hourly guarantees and overtime premiums of the **rail loading and inspection jobs** covered by our contract. It is similar to the steady erosion of pay and security of yard jobs at new plants. The threat behind these demands for concessions is labor leasing companies. Management's tactic is to slice off one small group at a time.

In the Southwest recently, both Hadley and PMT employees have been under the gun. At PMT in southern California, members deadlocked 12 to 12 on a demand to accept cuts, but mangagement is pursuing a "vote till you get it right" strategy. In this case, the railroad, Southern Pacific, which picks the contractor, also owns PMT. Members question the legality of this subcontracting threat.

Phoenix Local 104 members at PMT have formally protested a concessions vote held there on April 13. They had been promised documents from management showing the cost that they were charging the railroad. These have not yet been provided. Also, the vote was supposed to be secret, but was not.

Several locals have made good efforts to stand up to this pressure or to organize the new labor leasing outfits. Local 299 successfully struck on the question in 1985. But the kind of coordinated response which would be most effective needs to come from the International.

Running the Plant Backwards

continued from page 12

Inherently, every worker in the workplace has some sense of how to control the flow of production. All people like myself had to do was act as some kind of cheerleader. The key is to create it in some kind of concerted fashion, so that it goes from someplace to someplace backwards, or as they say at Moog, they learned how to run the plant backwards. And that in effect is what happened. Over the six-month period of time, they learned how to totally turn it around. A good slowdown grows exponentially. Every day they fall behind, it takes two to catch up. There are ways the workers can enhance the slowing down, or the depreciation of productivity.

At LTV in Texas, which was a much larger, much more difficult, much more dynamic situation, I give you the example of a worker who was working on a spiral mill with a little cylindrical part. Every morning he used to come to work, take the parts and put them in the hopper, and then mill those same parts all day long, just repetitively for two weeks put those same parts back through. Management found there were no parts out there in stock, and yet here were all these reports on how many parts had been milled.

By pulling the strike at LTV at the end of fifteen months, we knew — our intelligence-gathering system knew — that that company was crippled and bleeding, needed stretcher-bearers everywhere, but would not give in.

Within the last two days prior to the strike we collected $30,000 in back dues. $30,000 in two days so that workers could get strike benefits. The move was right at that time, but it was a decision the rank and file was able to make intelligently.

The strike began at midnight, and at three minutes after midnight the corporation called me through the mediator and said, "They're on strike." And I said, "Well, that's right." And they said, "Well, we gotta get this damn thing over with." And we did: effectively restored the COLA, knocked the two-tier out, did not get all of the insurance back but got several important components of it back, got all 65 workers back with back pay, and were able to go to the membership with that kind of an agreement.

Workers can control the workplace. They have to have the incentive, and the feeling that there is a support network, that people won't back down, as a goal and an objective of the union activity. As you develop a struggle in a workplace of any type, I think you have to go beyond the need for solidarity. I tend to talk to our membership wherever possible about what concerted activities really are and what is really organizational.

All things help the struggle: wearing buttons, singing songs, having rallies, tends to cause a sense of solidarity. It's the one-step forward theory. It might be as simple as wearing a button or singing a song or doing a snake dance through the plant. Any one of those kinds of activities has the ability to attract the workers so that they themselves can figure out how to slow down production.

We invented a few phrases during these struggles. One was the theory of creative bottle necking. A worker just said, I'm going to create a bottle neck over here, and they did, and the parts just didn't get to where they had to go, and from that point forward we called it creative bottle necking. At the Schwitzer plant where they stamped out fan belts for cars, some ingenious worker decided that a shipment of fan blades that was supposed to go to Ypsilanti should be sent somewhere else and they wound up in Istanbul, Turkey. And they had to come back again. Those are all the kind of creative things that can go on in the workplace.

No struggle of this type, just because it isn't a strike, will go victimless for very long. Victims will be found by the company. The standard tactic is to find someone to fire or discipline, something to act as a deterrent to the concerted activities. At Moog, various things happened. Victims are part of the process. Any union that embarks on an alternative in-workplace strategy has to also build in the knowledge that there will be victims.

In my own discussion with various workforces, I never neglected to tell them, "Someone will get fired here." And just continued to hammer that away, so that people became somewhat immune to the victimization

process, so that it didn't become the one thing that broke the back of the struggle. And the second thing is you have to convince all of the workers they have a responsibility to the victims. Even before you have victims, you have to feel and agree that you all have a responsibility. We tried, in each instance, one form or another of collecting money.

Union Principles Need Practice

I have to say that we don't have a whole lot of unions out there practicing these principles. The UAW has bragged about winning lots of places, yet not once as a whole union has it put in place a training session, a sheet of paper, or even talked about using creative strategies to the staff, regional directors, etc.

That kind of contradiction, that kind of schizophrenia, gets you in trouble. Workers are now saying, "The UAW won at LTV. After 15 months, 65 people fired, they got all of the workers back, got them back pay, did all that. That's what we want, we'll join a union for that." And yet unions are not commiting themselves to move the process throughout their own union or throughout the movement.

The essential premise that I offer is that a worker, given an alternative, will fight for the dignity of the workplace, the job and income security and what they believe are the proper working conditions.

Stewards: Creative Shop Floor Tactics to Help You Win

TDU members nationwide have used a variety of tactics to win grievances, stop productivity harassment and build greater unity, or "solidarity conciousness," at their barns and shops. The following is a list of tactics you may want to consider in your shop.

1. *Symbolic Protest.* The easiest to organize and an effective means of showing solidarity, this is a group protest that doesn't involve breaking any rules. For example, when a Yellow Freight employee was fired at a big break bulk, employees there wore yellow arm bands in a show of solidarity. Several UPS centers have used this tactic, with the name of the fired employee on arm bands, or even printed on ball caps. Wearing TDU buttons, shirts and caps by the majority of the workforce also lets management and the union know that the workforce is united around a specific issue.

2. *Group Grievances.* A common practice. In general, any grievance that has a large significance for the employees should be filed as a group grievance.

3. *The Cold Shoulder.* Supervisors are human, too. Let management know that you're angry and disagree with their policies by organizing the "silent treatment" for individual supervisors or all of them. Nothing in the contract says you have to talk to these guys. It will get the point across.

4. *Keeping Notes.* Organize as many people as possible to begin jotting down everything that management says. Besides making them awfully paranoid, keeping notes can also protect you. The more doing it the better. Be sure that people compare and share notes.

5. *Using the Media.* Your local media may be very interested in policies by your employer that are particularly obnoxious, or could endanger public safety (like dispatching drivers when they're out of hours).

6. *Group Pressure Tactics.* In many cases your BA or steward needs the help of many members to make a point with supervision. Group meetings with supervisors during breaks, lunches, in the parking lot after work, or even outside a supervisor's home are effective means of getting your point across.

7. *Working to Rule.* Try to get a copy of your company's work rules and employee handbooks. Get everyone to follow every rule to the letter. With the hundreds of rules most companies have, following them all can cut down productivity.

All of the above tactics are effective means of building unity and showing management that workers at a particular shop or barn are willing to stick together and fight over a particular issue. They're also all legal and don't involve violations of the contract.

Members, stewards and local officers interested in learning more about alternative bargaining and organizing tactics should know that a number of helpful publications are available. One, *The Inside Game: Winning with Workplace Strategies*, is available for $2.50 from the Industrial Union Department of the AFL-CIO, 815 16th St. NW, Washington, D.C. 20006.

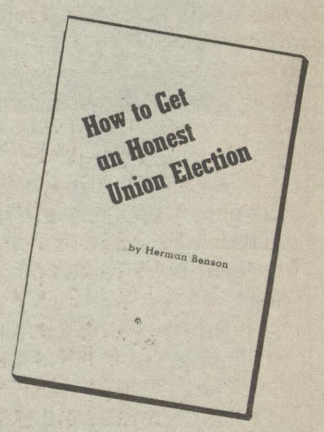
Another excellent book on alternative shop floor strategies is Labor Research Review's *New Tactics for Labor.* It is available from the Midwest Center for Labor Research, 3411 W. Diversey Ave., suite 14, Chicago, Illinois 60647.

New Booklet on Union Elections

This new 65 page booklet is a comprehensive guide to union elections. It covers the laws you need to know, how voting procedures should be conducted and exactly what your rights are in a local union election.

Published by the Association for Union Democracy and written by Herman Benson, *How to Get an Honest Union Election* is available through TDU.

Price: $3 per copy.



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Speech by Auto Workers Leader

A New Vision for the Labor Movement

The following is a major portion of a speech given in New York City in April by Jerry Tucker at a conference titled "Labor '87, What Road Forward?" Tucker shared the platform with other labor leaders including Ken Paff, TDU National Organizer.

Tucker served as an Assistant Regional Director of the United Auto Workers (UAW) for the past five years. During that period he pioneered alternative bargaining strategies, ways of organizing union members to effectively combat concessions demands, even by corporations that are prepared to provoke a strike.

Tucker reports on a couple of these struggles that were highly successful and which gained him a national reputation within the labor movement for aggressive and far-sighted leadership.

While it's good to come to a conference like this and see so many people expressing their deep and abiding concerns about the terrible hand they've been dealt and their role as an organizer or as a dissident in their own union, let's remember that across the country, in every one of our unions, there is a much larger group of people who have not had the opportunity or perhaps the inspiration to be brought into the discussion. I think it's so critical that everything begin, again as it perhaps should always have been focused, at bringing those individuals into the discussion.

I can point to one one thing that perhaps more than anything else brings a worker into the discussion, and that's struggle. Whatever the struggle may be, whether it's a struggle over a grievance that affects a given area or a struggle over a contract expiration, if a worker is involved in some form of contest with the employer, some form of contest with the community in some instances, the educational possibilities are far more available at that moment than at almost any other time. Some of the things that I've been involved with are not that much different from Ray Rogers (Local P-9 struggle against Hormel) or other persons who advocate standing for winning rather than standing for being rolled over by the employer.

Let me use this title: *Alternative Bargaining Strategies*. I know some of you are exploring other tactics, other than striking, other than walking into a concession and accepting that concession, and that's what we're talking about. It seems there is a whole proliferation of activity going on around the country that represents alternatives to the business union ritual that had been so dominant from the late 1940s and throughout the bulk of the 1970s.

"Business unionism, the ritual dance of sitting around a hotel room, talking to corporate counterparts, devoids you of a real sense of solidarity."

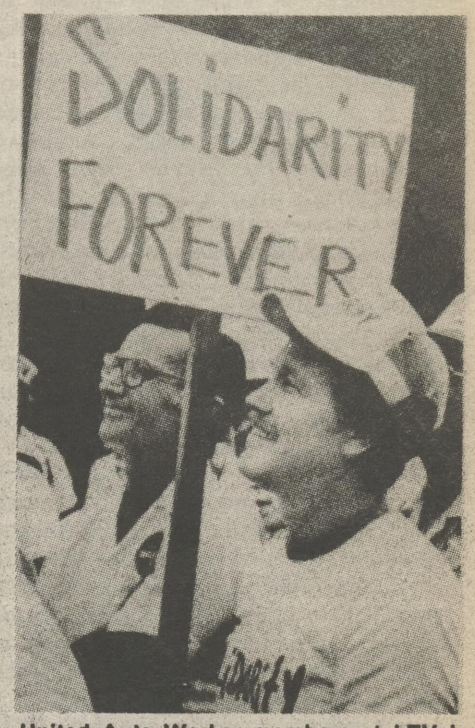
The experience I would speak from tends to be industrial, it tends to be a type of manufacturing that the UAW represents, but I have also seen enough evidence and had communication with people in the service and public sectors.

Here are the basic ingredients: you have to know the employer, know the employer's intentions and elemental motivation. What is the elemental motivation of a concession drive on the part of an employer and manufacturer? Is it just to pull back hard-earned wages and benefits? It may, or it may be to domesticate the workforce. In any case, it is a corporate strategy that has been going on for some time and all we've tended to do is meet that strategy with alternative mechanisms.

We tried a few tactics back in 1981 at a place called Moog in St. Louis. It was a small employer, 500 workers who belonged to the UAW since 1937, organized in the flush of the CIO. That small group of workers was confronted by a corporation that made a 38% return on its investment the year before bargaining. The corporation came to the local union and said you're going to have to take wage and benefit cuts that will total about $2.50 per hour. Here's a corporation dealing in a 38% return on its investment and workers being told that they're going to have to take a $2 an hour wage and benefit cut. You can imagine the headscratching going on amidst that bargaining committee—what's going on here?

The company then said we know you're going to have to do it because we're prepared to put you out on strike. We're prepared to let you strike, they said, and we have prescreened 40 people to work alongside our supervision and have a net of 400 more people to bring in. Workers turned to me and asked, "Do we have to take that crap?" And I said, "No, I don't think so, but let's try to figure this out."

We finally decided to stay in the plant and work to rule. Working to rule and creating a network of communication became the cornerstone of the struggle. In the six-month period of time, a variety of tactics were developed by the workers. We started with one premise: we had to find solidarity, in a workplace that had long since dropped all vestiges of real effective solidarity. Business unionism, the ritual dance of sitting around a hotel room, talking to corporate counterparts, as our committees have grown to feel they are, devoids you of a real sense of solidarity.



United Auto Worker members at LTV in Texas fought back management concession drive by using creative "in-plant" tactics.

Solidarity Committees

The bargaining committee simply didn't know that much about communication and conciousness and solidarity, and they had to learn in a hurry. They agreed to create what we call a solidarity committee. And it became about 100 people, or one-fifth of the workforce, that came into a kind of fighting, organizing, communicating, intelligence-gathering formation. They met almost always on Tuesday, Wednesday or Thursday. We had enough sense not to fight payday, and enough sense not to fight Mondays, when people are just recovering from the weekend, so we did things that were comfortable to people's already acquired habits. And yet we met, weekly, in various groupings. Any kind of way of getting workers together. One out of five people in that plant had a direct day-to-day responsibility, and that was the essence of winning the workplace struggle, because once that had come into place, management could not out-communicate. They didn't have enough supervision to meet that, plus supervision was preoccupied and unskilled and untrained to deal with that level of intense communication. We had intelligence gathering and we were able to constantly bring back to those meetings new ideas on production and the committee became the critical point.

A couple of other things are very important as well, obviously. We had one hell of a slowdown going on. At its core, all that I am talking about, had to result in a depreciation of productivity. The key was that the contract had expired, and we were not burdened by some of the features of an agreement. Yet, I was still afraid to say slow that mother down. In fact, the workers didn't need me to tell them that much about it. Productivity immediately dropped.

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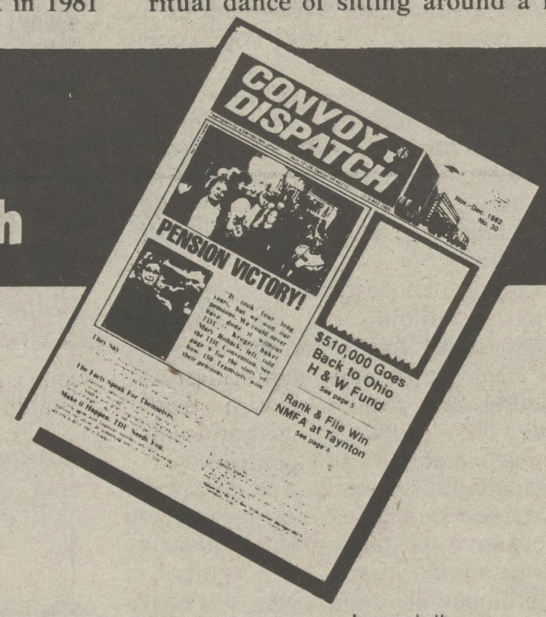

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